

PRESS CONFERENCE WITH MAJORITY LEADER

STENY H. HOYER

Wednesday, June 6, 2007

11:30 a.m.

Mr. Hoyer. All right. Wednesday morning at 10:00, we were in. 15 1-minutes. We will consider nine bills under suspensions, including the bill prohibiting human cloning. We will also consider H.R. 2446, Afghanistan Freedom Support Act. That's under a rule. There will be 11 amendments. It authorizes reconstruction assistance to Afghanistan. Obviously, as all of you know, we have focused on Afghanistan. We focus on it in our supplemental that was vetoed in terms of increasing dollars for Afghanistan where we think we need to focus so that we do not resurrect in Afghanistan a sanctuary for terrorists.

We expect the last vote today 7 p.m. Thursday, the Colombia Recognition Act under a rule. I know all of your editors have been asking you to write on that issue. And then we will do the Stem Cell Research Enhancement Act. We will take up the Senate bill under a rule and hopefully pass that and send it to the President.

Obviously last night, we had two resolutions considered relating to Bill Jefferson. One dealt specifically with Mr. Jefferson, and that was passed overwhelmingly. Another one dealt with an expectation that in similar circumstances if any Member on either side of the aisle, any Member of the House, has charges brought against him, that will trigger automatically a reference to the Ethics Committee. The

Committee on Standards of Official -- whatever it is --
Conduct.

Those of you who have been in my press pen and pads for a long period of time have known that for 5 years I have been saying that once there is any public indication of alleged wrongdoing that the Ethics Committee needs to act. This will trigger -- make sure the public knows that we are pursuing these matters and that's why both of these, notwithstanding the debate back and forth, passed overwhelmingly because Members understand that is the public's rightful expectation of what ought to be done.

As it relates to Mr. Jefferson personally, as you heard me say on the floor, both the Speaker and I view these extraordinarily seriously, as you know. Even before the charges were brought we removed Mr. Jefferson from the Ways and Means Committee, the Caucus did, because we felt it raised substantial questions. Obviously, now those questions are at a much higher level and will proceed accordingly and we will see what the Ethics Committee has to say within the next 30 days on this issue.

I was very concerned on the course of our break the Supreme Court's decision on the Ledbetter case. The Ledbetter case was the wage discrimination case where the Court limited to 180 days from the first paycheck essentially where discrimination might have occurred. It was a very

strong dissent by Justice Ginsburg, as you know, effectively saying how you are going to know? Clearly, although I don't know all of your experiences but most of my jobs -- in my Federal job everybody knows what everybody makes, but in most jobs people don't know what the guy next door necessarily makes or the gal next door necessarily makes, and therefore it is difficult to determine. I think Ginsburg was absolutely correct. She invited us to deal with this legislatively. I talked to Mr. Miller and Speaker Pelosi about pursuing this, and we expect to have legislation on this very soon.

With respect to the agenda ahead, the stem cell research bill that's on the floor this week on Thursday, which is the second item on our 100-hour agenda going to the President, we are confident we will pass it. It is the Senate bill and we will not amend it, which is one of the reasons we are not going to conference, because we want to send it directly to the President.

And 65 percent of Americans believe this is a scientific medical avenue that ought to be pursued because they believe it has great hope to address some of the most serious afflictions confronting mankind. I share that view. I'm hopeful that the President, who has expressed his opposition in the past, will reconsider. He did allow some small coterie of stem cells to be used, but he precluded most

public research. This is simply going to go overseas, and it would be, I think, a tragedy for the American people and indeed for the international community if the United States of America, who has been one of the leaders in biomedical research and in providing cures and preventive measures for very serious illnesses, were not to proceed in a very vigorous fashion on this.

We will be going next week into the appropriation bills on the floor. We expect to pass all 11 -- or 11 of the 12, 11 of the 12 appropriation bills by the June 30th. That's our objective. As you know, we are a week behind in doing this, mainly because there was so much time spent on the Iraq funding bill. But we were pushed behind by a week. But we are hopeful that we will pass all 11 of those bills, the 12th bill, the defense bill, as you know being considered mid-July.

The other big issue that is on our plate is energy. As you know, the Speaker has focused very specifically on this issue and has asked the committees to have bills ready by the end of June so that we could consider bills in July.

I expect that we will be making -- before we leave for the July 4th work period, I expect us to be announcing what action we will be taking on energy in July.

Okay. Let me stop with that. There are obviously a lot of other things, the Iraq war, we're going to be dealing with

both in July and in September. The defense authorization bill may come back from conference in July. Hope so. Don't know so. But the Senate intends to move their bill, as I understand it, by the end of this month.

Let me stop there. Richard?

Q On the Jefferson matter, I have two questions, one which came up in the debate last evening. Why -- and you provide a response to the Republicans who criticized the fact that Democrats didn't provide the pool of Members until yesterday, the Republicans said they were ready even as early as January. One thing, why did it take until yesterday?

And then the second question, now that the committee is up and running on Jefferson, how soon do you expect or would you like to see the committee finish it up for the House to act?

Mr. Hoyer. I can't answer the first question, which is my honest answer to you, Richard. The Republicans submitted their list last month. Not the beginning of January, last month they submitted a list.

Q They were saying that they were waiting for you guys, that they had their list.

Mr. Hoyer. I know they say that, but the fact is they didn't submit their list. But I can't answer that question as to why it took so long. Clearly, frankly, the Ethics Committee could have proceeded without the list.

Q On an investigative subcommittee?

Mr. Hoyer. Not an investigative subcommittee, but they could have proceeded on their own.

Q And now going forward, what kind of timing --

Mr. Hoyer. Well, the resolution that was passed yesterday on Jefferson says 30-day report back. So short time frame.

Q That's in there?

Mr. Hoyer. In the resolution.

Q To report to the House?

Mr. Hoyer. Yes.

Q Don't you think an indictment trigger is a little late in the process? Is there any way that you could get an automatic review of an ethics allegation before a Member is indicted?

Mr. Hoyer. Yeah, I think you are going to see in the near term freshmen have been working with Mr. Capuano -- and I have been very concerned about the ethics process. It's difficult to deal with this issue because by its very nature much of this should be done properly for the protection of the innocent, if you will, in camera, in secret.

On the other hand, if you don't have a mechanism that the public knows that work is being done and there is being oversight, the public assumes that nothing is being done. I think you are going to find that the Capuano freshmen

proposal, Capuano/freshmen, because a number of the freshmen have been working on proposals to effect this objective. I think you are going to find those proposals which are going to come forward soon -- I am not in a position to talk about specifics, Mr. Capuano has not finalized those. As you know, he has been working with Lamar Smith and an equal number of Republicans and Democrats and my expectation is they will come forward very soon with specific proposals, but I think the answer to your question is I think that you are going to find that that speaks to that issue.

And I agree with the concern that your question expresses. And I hope again, I would reiterate for 5 years I've been talking about this. There needs to be a way for us to convey to the public that we're doing our job while at the same time protecting people against whom allegations may be made that have no basis either in fact or in law.

Q Mr. Leader, do you personally believe Mr. Jefferson should resign, that he could continue to be effective for his district?

Mr. Hoyer. I think Mr. Jefferson's effectiveness has been substantially impaired, and I think he needs to take that into consideration as to what action he is going to take. Obviously he is, as Mr. LaTourette correctly observed on the floor last night -- I thought very honestly, I was impressed with his comments and I agree with his comments --

that Members are no different than any other American, they are presumed innocent until proven guilty.

On the other hand, Members are held to a higher standard than guilt or innocence. Members are held to a standard of performing their duties that gives the public confidence that they are being represented vigorously and effectively and that the general interest is being represented, not the special interest.

Q And how much of a distraction is this for Democrats, especially in the beginning when you said you wanted to clean up?

Mr. Hoyer. Well, we took very decisive action, unlike frankly at previous times. When we removed Mr. Jefferson from the Ways and Means Committee, that was a very difficult action to take. Difficult because he had not been charged and certainly convicted. He hadn't been charged with anything. However, the allegations that were known to the public and us were very serious allegations, and that is why we took the action we did, because we thought that the public deserved to have a higher confidence level in the Ways and Means Committee, in particular, and because the allegations of course related to Mr. Jefferson, possibly related to Mr. Jefferson's work on the Ways and Means Committee.

Q Can you address how much direct pressure, if any, was placed on Mr. Jefferson to step down on his own and do you

know whether the CBC may have?

Mr. Hoyer. Step down on his own from --

Q On his own from Small Business.

Mr. Hoyer. I don't know the answer to that question. My thought is because it was done very quickly, not much. I don't mean that people -- I didn't talk to him. I haven't talked to him. But --

Q In the past CBC has sought to protect Mr. Jefferson. Certain members of the CBC voted against your bill as well as the Boehner bill. Are there any efforts being made on their parts to try to keep further action from being taken against Mr. Jefferson?

Mr. Hoyer. I don't know of any. So, Chris, I can't answer your question because I don't know of any. The controversy before was that there hadn't been any charges leveled and that there was disparate treatment. I don't think that issue is now here.

Q They called for a balance -- striking a balance between innocence and the need for public information. Clearly, as you said, that is difficult. Can that truly be addressed?

Mr. Hoyer. Well, we are working on it and I really do believe that the Capuano -- I'm not going to go into the specifics of Capuano. He needs to do that, he and Lamar Smith need to do that themselves. So I'm not going to -- obviously I've had discussions with them, I know essentially

what they are discussing. But I think they are going to address that and I think that will be in the very near term, that will be addressed publicly.

Q There is some talk --

Mr. Hoyer. But it is difficult, and as a lawyer, as somebody very interested in civil liberties and due process, you heard me talk about habeas corpus, I think we need to be sensitive to that, which is why I was impressed with Mr. LaTourette's comments last night on the floor.

Q There is some talk by Leader Reid on the other side of the building that if they don't get cloture by tomorrow night he is going to pull the immigration bill off the Senate floor. If that happens, will the House even bother to take up an immigration bill before this summer?

Mr. Hoyer. I have said a number of times that while the Senate was expected to go first because of the work they have done for years on a comprehensive bill as opposed to the bill that we had done, which simply dealt with the security on the border, I have indicated that it was our positions that it was not a condition for us to move forward that the Senate have acted. But clearly Senate action will have an impact on the thinking of the Members and thinking of the public. And so I think the answer to your question is we will have to see if that happens what effect it has on us. But I talked to Zoe Lofgren last night. She is moving forward. I think it

is fair to say that she thinks she is making progress. And she's working with Mr. Flake, with Mr. Gutierrez, who have the major bill in, and so the answer to your question is I think we are still of a mindset to move forward, as I said, marking up in this month, the end of this month, probably with floor action anticipated next month.

Q Do you expect the stem cell situation to go any differently than it has in the past?

Mr. Hoyer. I hope.

Q Is there any reason to?

Mr. Hoyer. Expectation may be overstating it. The President has indicated he probably is not going to sign this bill. We think that is unfortunate. Sixty-five percent of the American public support this because they think it presents some hope for the amelioration or prevention or cure of very serious afflictions that confront mankind and confront their family members and themselves. I think I agree with that. Sixty-five percent of the American public I think is absolutely correct, and I think we ought to pursue this avenue which poses some hope.

Q Do you think there is any greater likelihood of an override in the House or the Senate?

Mr. Hoyer. Well, I hope so. We had a number of Republicans, 37 Republicans or 36 Republicans voted for the bill when it passed the House. I don't know if that is

accurate off the top of my head. Somewhere in the thirties, I think. So, you know, obviously that is not enough to override a veto, but when you have 65 percent of the American public for something it impacts on Members, and we would hope that if the President vetoes it that some people would reconsider.

Q Have any of the leaders talked to Jefferson at all since this happened, since he was indicted?

Mr. Hoyer. I don't know the answer to that question. I don't know whether when -- any of the leaders, you are talking about the Speaker, Clyburn, Rahm Emanuel or myself?

Q Uh-huh.

Mr. Hoyer. I have not. The Speaker has not indicated to me that she has talked to him. I don't know. I have not talked to him. I don't know about Mr. Clyburn or Mr. Emanuel. I would doubt that Mr. Emanuel has talked to him, but I haven't talked to Jim Clyburn about it.

Q Don't you think he should, somebody should in the leadership talk to him?

Mr. Hoyer. Well, that doesn't mean that contact has not been made with his office. I don't know that there aren't some discussions there with maybe his Chief of Staff. I don't know. And the answer to your question is should we? We have proceeded yesterday, first opportunity we had to turn over to the appropriate organ, in this case the Ethics

Committee, to proceed immediately and report back forthwith, in effect, of what action they recommended be taken. So I think we've acted very, very quickly, very appropriately, and very decisively, and I think whether we talk to Mr. Jefferson or not this case is now being handled.

Q But aren't you the least bit curious? Couldn't you just go up to him and say, Hey, Jeff, 90,000 in the freezer? What's up with that? You know, you're a leader, he's a Member, you see each other on the floor. Don't you have some exchange or conversation?

Mr. Hoyer. If your assumption is that -- the question was have I talked to Jefferson, if I incorrectly interpreted that question, I interpreted that question to be "since the charges were made."

Q Right.

Mr. Hoyer. If I was incorrect in that -- if your premise is that there haven't been those kinds of discussions before this, you are not correct.

Q When did you talk to him about it and what did he say?

Mr. Hoyer. Oh, I think we have all talked to him about it and we have talked to him about it in a group many months ago prior to the action with respect to the Ways and Means Committee.

Q But in general, like Linda was saying, wouldn't you kind of say something one-on-one?

Mr. Hoyer. With all due respect, this is an extraordinarily serious matter. It is an extraordinarily serious matter for Mr. Jefferson, an extraordinarily serious matter for Mr. Jefferson's family. This is not a casual conversation topic for Mr. Jefferson.

Q Is there an exculpatory answer for this?

Mr. Hoyer. I'm not going to --

Q Is there an explanation?

Mr. Hoyer. Not that I know of, but I'm not going to go further.

Q Never in the heart of the House of Representatives has somebody been expelled before he or she has been convicted of something except for two cases of treason during the Civil War. Now you, the House has now passed a resolution that seems to be pushing for the House to expel a Member before he has been convicted of anything.

Mr. Hoyer. I didn't get into it in the debate. Republicans, in my opinion, have a very significant double standard and it was evident last night where they may jump to conclusions before they are warranted.

The allegations are very serious. Now this occurred before. I forget the specific instance. I can't recall it. And we -- well, in the Murtha case where they assumed the guilt within the context of their resolution, as opposed to saying allegations have been made and we are going to

determine whether there was guilt.

You're right, the possibility of expulsion is raised in the Boehner resolution. However, it's raised in the context of whether or not the committee believes that expulsion is appropriate. So I'm sure that the facts that you just related -- I mean, I hate to mention it because I really like him and I think he was treated extraordinarily unfairly and the good news is he was found not guilty. Nobody asked Joe McDade to step down from the committee, nobody suggested that Joe McDade be expelled from the House of Representatives. He served on the Appropriations Committee throughout two trials.

Q Back to immigration for a second, is it wise for all of you to continue perhaps going throughout motions here on the House side when it is becoming clearer and clearer, it seems, that it is going to be very difficult, if not impossible, to pass something in the Senate.

Mr. Hoyer. On immigration?

Q Immigration, yeah.

Mr. Hoyer. The President of the United States believes this is a very serious issue. This is one of the issues frankly on which I said earlier the President of the United States and many Members of the Congress agree on the Democratic side. Obviously on the Democratic side in the Senate, many agree, many Republicans agree as well. John Kyl and Jeff Flake, who is from Arizona, a State very directly

involved. I think many of us believe this is a very serious issue that this country has to come to grips with. It is a very controversial issue, so you raised the specter should we just say, well, the Senate can't do it so we will just not proceed on it. I'm not -- your question is should we therefore follow not to do anything further, my answer is no, I think we need to continue to look at that. We have some very good people working on this. We have a very substantive bill introduced on this side, which is a bipartisan bill and, as I said, Ms. Lofgren is pursuing this and she is pursuing it also with the Republicans on her subcommittee.

So I think it would be not appropriate just because the Senate finds itself unable, mainly because of the process and the extraordinary number of amendments that they are facing, to get this off the floor. They have a procedural problem as well as a substantive problem. So their procedural problem ought not to lead us to stop considering the substance.

Q On appropriations, it sounds like the President may veto approps bills that exceed his budget request. That could be upheld in the House given the Republican support so far. Could you tell me about that?

Mr. Hoyer. Sure. I'm glad you raised that issue. As you know, one of the first things that we had to do that we did in February was to pass nine of the appropriations bills, which were left on the table when the Republicans left in

December. And we know that. Mr. Obey, I hope all of you have read Mr. Obey's press statement on the threatened veto that Mr. Portman has indicated might be forthcoming if we are \$20 billion off.

First of all, in real terms, the differences between what Mr. Obey's 302(b) allocations are is 810ths of a point difference. Now if the President believes -- this goes back to our rubber stamp, hear-no-evil-see-no-evil-speak-no-evil, whatever-you-say-Mr. President-we-are-doing mode.

That's not what the Founding Fathers set up. They wanted us to make decisions on priorities. In the CR, we added additional sums, as you know, for veterans, for education, Pell grants, community health centers, energy, for law and order on the Byrne grants which the President didn't want.

This year the President asked for 11.3 percent increase in security. We are going to take 11.6 percent increase in security. Now that deals -- our definition of security is broad; that is the four committees essentially that deal with security, subcommittees that deal with security: Defense, Homeland Security, Military Construction, and the Foreign Ops. On the domestic side, eight committees, we are suggesting a 1 percent real increase. The President suggested a 4 percent cut in the domestic side of the agenda. Well, obviously we disagree with that. We believe that

education, health care, environment, other domestic priorities, veterans, which comes into the security, are very important priorities that we need to pursue.

And so that the answer to your question is you recall when we were considering the supplemental there was an indication that they would veto the \$20 billion add-on. You noticed they signed that bill. We are hopeful that that will happen again. We are hopeful that we will have a process which is, in fact, a give and take between a Congress and a President. That give and take was expected by our Founding Fathers. It is written into our Constitution under Article I. It is our responsibility, and we would hope that we could work with the President. The President has priorities that he wants to accommodate in this budget. We have certain priorities we want to accommodate in this budget. And we're hopeful that we can come to a compromise on those issues.

Q Was it right for Democrats to try and put Jefferson on Homeland Security?

Mr. Hoyer. Well, you notice we didn't put him on Homeland Security.

Q But you did vote in caucus to do that?

Mr. Hoyer. You asked was it right to put him back on, but we didn't put him back on.

[Whereupon, at 12:00 p.m., the press conference was concluded.]